**Minutes of the Regular Meeting-7:30pm Tuesday,**

**April 14, 2020**

**Phone Conference**

1. Call to order: Mayor Mielke called the meeting to order at 7:30 p.m.

2. Pledge of Allegiance

3. Present: Mayor Brian Mielke. Council members Joan Perron, Steve Golias, Clark Donnelly and Melody Rasmussen. City Attorney, Tom Loonan, City Clerk, Kathy Krotter. Captain Wegener. Building official, Mike Andrejka. Engineer, Lucas Jones

4. Agenda: Motion to approve agenda by Council Member Golias and seconded by Council Member Perron. Added #7 R J Daughters tree approval. Motion passed 5-0

5. Approval of March 10, 2020 City Council Meeting Minutes: No corrections needed. Motion to approve minutes by Council Member Rasmussen and seconded by Council Member Perron. Motion passed 5-0

6. Treasurer’s Report: Motion to move to pay the bills by Council Member Golias and Seconded by Council Member Perron. Questions asked about Dakota County Check for $1705.00, this is a refund due to the fact that we did not use all the money from the Recycling grant and check to Brian Frelond for tree removed on city property hanging over his house. Brian paid A-1 Walsh and we reimbursed Brian. Approved 5-0

7. Building Official report Mike Andrejka: Closed five permits. Permit for Lot 6 has been granted.

8. R J Daughters Tree Plan: Mayor Mielke started the conversation and had Tom Loonan take over. There were some issues with parking on Windy Ridge and Mayor Mielke spoke to Ray Miller about putting some signs up because residents had issues with the trailers and big trucks parking on the street. Ray Miller agreed to put up three No parking signs. Tom Loonan followed up on the parking with the neighbors. They can call the non-emergency number for the police to have them come out if parking becomes a problem. The tree plan has been an issue for a year and a half now. Ray Miller could not be on the phone tonight due to health issues so his lawyer Seth Nielsen is on the call. In the development plan there was supposed to be a tree plan presented to the council for final approval in consideration for the trees that were removed. Also in the development plan Ray Miller was to get approval from the neighbors on the tree plan. Ray Miller had sent a letter to the neighbors and he has had some conversations with the neighbors about the plan. Ray and his wife Judy reached out to Tom Loonan and they want to move forward and get final approval for the trees. They have stated that they have reached out to all the neighbors and are seeking approval for the tree plan. The trees have been ordered and are sitting on the property waiting to be planted. Back in February 2019 there was approval of a home owners association for the development and the tree plan but according to the minutes the city was still waiting to approve the tree plan development after Ray Miller received approval from the neighbors. The agreement only states that Ray Miller get input from the neighbors, but it does not have to be inputted into the plan. Ray Miller sent a diagram to Tom Loonan and the red dots specify where the trees are going to be. The neighbors at 1 Windy Ridge have some concerns, they asked questions like where will the trees be planted, photo placement, viability of trees since they have not been planted, if the trees died would they be replaced. Mayor Mielke said that the trees are American elm and they were purchased from Bachman’s and they were the largest trees that R J Daughters could buy. The trees will make an arch and will be planted along Windy Ridge between lot 1 and lot 6. Parallel to Windy Ridge. Lucas stated that there were trees in the ditch and wanted to know if the new trees would be planted behind them. Mr. Nielsen stated that Mr. Ray Miller would like to remove those trees if the city would not mind since they are really of no use. Mr. Ray Miller would like to clean that up and make it look nice. But Mr. Miller will not remove them without the cities permission. Beth Miller is concerned with the placement of the trees and if the trees in front are removed and the new trees put in won’t they be planted in the culvert where there is a holding pond and have the potential to over flood them. Lucas stated that there is a berm there and that the trees would be planted closer to the property lines of the homeowners. The trees will not be planted in the culvert. Mr. Loonan asked Seth Nielsen if he knew who Mr. Ray Miller was having plant the trees. Was it going to be a specialist? Mr. Nielsen said he did not really know, but he thought Bachman’s would be putting them in. Mr. Loonan suggested that the council could approve the tree planting with the agreement that someone professional put them in and not the construction crew. Mayor Mielke said that he would at least be involved and onsite and to see where the trees are to be placed and if Lucas would like to be involved on an engineering stand point. Lucas said that if we want him there, he will be there. Mayor Mielke called on each council member for any questions Council Member Golias, agreed with what was said, Council Member Perron, agreed with what was said, Council Member Rasmussen, agreed with what was said. Council Member Donnelly wanted to know if any of the escrow money could be used for the trees and let’s get them in the ground. Mayor Mielke stated that the escrow money is an insurance policy. The trees should have a warranty and R J Daughters would use that to replace any trees. Mr. Loonan stated that the escrow money is to make sure that all the requirements of the agreement are complete. And right now we are coming to a close on the development. He also stated that there should be a guarantee on the trees that they would survive. Mr. Nielsen stated that he is pretty sure that the trees come with a warranty from Bachman’s. And the sooner they get planted the more likely they are to survive. They have been there since last fall and they need to be put in. Lucas stated that this is the prime time to get the trees in and we will know soon enough if they are to survive. Mr.Mielke wants to know what the warranty would be from Bachman’s and if someone would make a motion to approve the tree agreement. Council Member Golias made a motion. Seconded by Council Member Perron. Mr. Loonan stated that the council would conditionally approve the tree plan that the developer presented on the condition that a professional install the trees. That the city grants authority for Mayor Mielke under the advice of Lucas Jones to supervise the tree planting, if any questions arise. Council Member Golias yes, Council Member Rasmussen yes, Council Member Perron yes, Council Member Donnelly yes, and Mayor Mielke Yes. Passed 5-0

9. Public Comments: 8:05 pm. Closed public comment at 8:05 pm

10. Council Comments 8:06 pm Council member Rasmussen stated that Mendota Days has been cancelled due to Covid-19, too hard to plan activities without positively knowing that we can have the Parade. People cannot commit if it is not definite and also no funds are available. The Committee would need about two thousand dollars to have a good parade. Notice was in the sewer billing that it was cancelled. Council member Golias stated what about the minutes of the special meeting that we had. Tom stated that it should be approved. Add to agenda as number 11. Council Member Golias motioned to add to the agenda as number 11 the approval of the Special meeting held on March 26th. Seconded by Council Member Perron. Approved 5-0. Mayor Mielke asked if street sweeping had been set up. City Clerk Krotter stated he is set up to come in two weeks. Same cost as last year. Mayor Mielke commented that the beyond the yellow ribbon program cancelled the April meeting and they are planning a phone conversation in May. The Yellow Ribbon program has cancelled the National Guard breakfast that was planned. Council Member Perron nothing. Council Member Clark asked if the park is closed. And yes it is closed. And also is there any way to check up on the residents to make sure they are okay. Mayor Mielke did ask about the people who were at high risk in the pre meeting. So far everyone is doing fine. Council comment closed at 8:15 pm

 11. Staff Comments: 8:15 pm Lucas said nothing really to report. Lucas had a conversation with the Building Official on Lot 6, and the foundation is in the ground. Certificate of survey was finalized at the end of March before more lock down happened. Captain reported that nothing new in the police world right now. He did not prepare a formal report for us tonight. PPE went out to all our divisions like the Public works department and they are stock piling things that they may need and along with donations. Closed down city hall and taking as many calls as we can by phone. They are still doing medical calls and going inside we put on our N95 masks and other forms of PPE. We go to every medical call. We have zero individuals that have tested positive for Covid 19. They are at full staff as we speak. The City of Mendota Heights has closed down all their parks. Per order 20-20 and 20-33. Mayor Mielke said it has been mostly quiet and said that there had been racing of cars going around. The Mayor had read something from the Chief. Captain said that some people left the freeway and decided to make Lexington Avenue and Hwy 13 as a race track. People think that there is no law enforcement going on during this time. You can reach out to captain at WayneW@mendota-heights.com. Tom Loonan stated that he has been working on R J Daughters, and working with the planning commission consultants to get that back up and running. Maybe do something remotely. Tom talked about the CUP application that was filled out and sent to the city clerk about the 4 plex. But they decided they did not need that. Also he heard from Tracy again about selling his house again. Tracy wants to buy half of the parcel, Tom said that the city might do that if someone else purchased the other half parcel. City Clerk Kathy said she was going to bring up the street sweeping but we already talked about that and then should she order the biff and garbage cans for the park, since we are not supposed to be there, anyway. Lots of residents are still walking around, so maybe garbage cans would be a good idea. Staff comment closed at 8:29 pm.

12. Special Meeting March 26th No corrections were needed for the Special Meeting, so minutes were approved. Council member Golias yay, Council member Perron yay, Council member Donnelly yay and Council member Rasmussen yay Mayor Mielke yay passed 5-0

13. Adjourn: 8:32 pm Motion to adjourn the meeting by Council Member Donnelly. Seconded by Council member Golias.